Hovsepian v. Apple, Inc.

Doc. 260

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ACACIA MEDIA TECHNOLOGIES CORPORATION

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re ACACIA MEDIA TECHNOLOGIES CORPORATION	Case No. 05 CV 01114 JW **PLAINTIFF ACACIA MEDIA TECHNOLOGY CORPORATION'S SUBMISSION OF CHART PURSUANT TO COURT'S OCTOBER 19, 2007 ORDER RE: PROPOSED LIST OF COMPONENTS FOR THE TRANSMISSION SYSTEM AND THE RECEIVING SYSTEM WITH RESPECT TO THE ASSERTED METHOD CLAIMS** DATE: N/A TIME: N/A CTRM: Hon. James Ware

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In its October 19, 2007 Order Re: Motions for Reconsideration of Claim Construction Order (the "Order"), the Court ordered the parties to submit a Chart having a format which included columns for: (1) the claim number and step number for each asserted method claim, (2) the patent claim language, (3) the "component necessary to perform step," (4) the supporting references from the specification including quoted language from the specification, and (5) commentary. (Order, at 14:1-12).

Plaintiff Acacia Media Technologies Corporation ("Acacia") hereby submits its Chart, which is attached hereto as Exhibit 1.

The length of Acacia's chart is due to a number of factors. First, there are currently twenty (20) asserted method claims:

- '992 patent, claims 19-22 and 41-46;
- '275 patent, claims 2 and 5;
- '863 patent, claims 14-19; and
- '720 patent, claims 8 and 11.

Next, many of the claims include numerous components. Lastly, for many of the components in each of the claims, there is a substantial amount of discussion in the specification regarding that component, its cooperative relationships, and optional components, thereby requiring Acacia to include substantial, lengthy quotations from the specification in its Chart. To avoid unnecessary duplication, Acacia has not repeated the specification quotations or commentary where the same has already been provided for the same or similar component in another claim. Instead, Acacia has referred to the claim and step where this information can be found.

DATED: November 2, 2007

HENNIGAN BENNETT & DORMAN LLP

By /S/ Alan P. Block
Alan P. Block

Attorneys for Plaintiff, ACACIA MEDIA TECHNOLOGIES CORPORATION

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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action; my business address is 865 South Figueroa Street, Suite 2900, Los Angeles, California 90017.

On November 2, 2007, I served the within documents described as follows:

PLAINTIFF ACACIA MEDIA TECHNOLOGIES CORPORATION'S SUBMISSION OF CHART PURSUANT TO COURT'S OCTOBER 19, 2007 ORDER RE PROPOSED LIST OF COMPONENTS FOR THE TRANSMISSION SYSTEM TO THE RECEIVING SYSTEM WITH RESPECT TO THE ASSERTED METHOD CLAIMS on the interested parties in this action by transmitting via United States District Court for the Northern District of California Electronic Case Filing Program the document listed above by uploading the electronic files for each of the above listed documents on this date, addressed as set forth on the attached Service List.

The above-described document was also transmitted to the parties indicated below, by Federal Express only.

Chambers of the Honorable James Ware Attn: Regarding Acacia Litigation 280 South First Street San Jose, CA 95113 ***3 copies***	

I am readily familiar with Hennigan, Bennett & Dorman LLP's practice in its Los Angeles office for the collection and processing of federal express with Federal Express.

Executed on November 2, 2007, at Los Angeles, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/S/ Lisa McCorry
Lisa McCorry

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